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8 Attorneys for Plaintiff
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 AHMED HOSSAM ELDIN ELBADAWY, et
al.,
16 Defendants.

No. 2:24-CR-00595-JWH-1&3

STIPULATION REGARDING REQUEST FOR
(1) CONTINUANCE OF TRIAL DATE AND
(2) FINDINGS OF EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

CURRENT TRIAL DATE: 02/10/2025

PROPOSED TRIAL DATE: 07/28/2025

21 Plaintiff United States of America, by and through its counsel
22 of record, the United States Attorney for the Central District of
23 California and Assistant United States Attorney Lauren Restrepo, and
24 defendant AHMED HOSSAM ELDIN ELBADAWY ("defendant ELBADAWY"), both
25 individually and by and through his counsel of record, Christopher
26 Downey, Esq., and defendant EVANS ONYEAKA OSIEBO ("defendant
27 OSIEBO"), both individually and by and through his counsel of record,
28 Arnold Spencer, Esq., hereby stipulate as follows:

1 1. The Indictment in this case was filed on October 8, 2024.

2 2. Defendant ELBADAWY first appeared before a judicial officer
3 of the court in which the charges in this case were pending on
4 December 19, 2024 in Los Angeles. The Speedy Trial Act originally
5 required that the trial commence on or before February 27, 2025. The
6 Court originally set a trial date of February 10, 2025 and a status
7 conference date of January 24, 2025 at 1:00 p.m.

8 3. Defendant OSIEBO first appeared before a judicial officer
9 of the court in which the charges in this case were pending on
10 December 19, 2024 in Santa Ana. The Speedy Trial Act originally
11 required that the trial commence on or before February 27, 2025. The
12 Court originally set a trial date of February 10, 2025 and a status
13 conference date and time of January 24, 2025 at 1:00 p.m.

14 4. Co-defendant Joel Martin Evans ("defendant EVANS")
15 previously made his initial appearance in this case on December 3,
16 2024. At that time, the Court set a trial date for defendant EVANS
17 of January 27, 2025 and a status conference date and time of January
18 10, 2025 at 1:00 p.m. On December 23, 2024, the court continued
19 defendant EVANS' trial date to July 28, 2025 at 9:00 a.m. and the
20 status conference date to July 11, 2025 at 1:00 p.m.

21 5. All three defendants are released on bond pending trial.
22 The parties estimate that the trial in this matter will last
23 approximately seven days. All defendants are currently joined for
24 trial and a severance has not been granted.

25 6. By this stipulation, defendants ELBADAWY and OSIEBO now
26 also move to continue the trial date to July 28, 2025 at 9:00 a.m.
27 and the status conference date to July 11, 2025 at 1:00 p.m. This is
28 the first request for a continuance.

1 7. Defendants ELBADAWY and OSIEBO request the continuance
2 based upon the following facts, which the parties believe demonstrate
3 good cause to support the appropriate findings under the Speedy Trial
4 Act:

5 a. Defendants are charged with violations of 18 U.S.C.
6 § 1349 (wire fraud conspiracy), 18 U.S.C. § 371 (conspiracy), and 18
7 U.S.C. § 1028A(a)(1) (aggravated identity theft). Once a protective
8 order is negotiated by the parties and obtained from the court, the
9 government will be producing discovery to defense, including
10 thousands of pages of reports and records, the results of searches of
11 numerous online accounts, cell phones, computers, and other digital
12 devices, records of interviews, and documents and reports related to
13 dozens of victims.

14 b. Counsel for defendants both represent that they will
15 not have the time that they believe is necessary to prepare to try
16 this case on the current trial date.

17 c. Counsel for defendants also represent that additional
18 time is necessary to confer with each defendant, conduct and complete
19 an independent investigation of the case, conduct and complete
20 additional legal research including for potential pre-trial motions,
21 review the discovery and potential evidence in the case, and prepare
22 for trial in the event that a pretrial resolution does not occur.
23 Defense counsel each represents that failure to grant the continuance
24 would deny him reasonable time necessary for effective preparation,
25 taking into account the exercise of due diligence.

26 d. Both defendants believe that failure to grant the
27 continuance will deny them continuity of counsel and adequate
28 representation.

1 e. The government does not object to the continuance.

2 f. The requested continuance is not based on congestion
3 of the Court's calendar, lack of diligent preparation on the part of
4 the attorney for the government or the defense, or failure on the
5 part of the attorney for the Government to obtain available
6 witnesses.

7 8. For purposes of computing the date under the Speedy Trial
8 Act by which defendant's trial must commence, the parties agree that
9 the time period of February 10, 2025 to July 28, 2025, inclusive,
10 should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
11 (h)(7)(B)(i), and (h)(7)(B)(iv) because the delay results from a
12 continuance granted by the Court at defendant's request, without
13 government objection, on the basis of the Court's finding that: (i)
14 the ends of justice served by the continuance outweigh the best
15 interest of the public and defendant in a speedy trial; (ii) failure
16 to grant the continuance would be likely to make a continuation of
17 the proceeding impossible, or result in a miscarriage of justice; and
18 (iii) failure to grant the continuance would unreasonably deny
19 defendant continuity of counsel and would deny defense counsel the
20 reasonable time necessary for effective preparation, taking into
21 account the exercise of due diligence.

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1 9. Nothing in this stipulation shall preclude a finding that
2 other provisions of the Speedy Trial Act dictate that additional time
3 periods be excluded from the period within which trial must commence.
4 Moreover, the same provisions and/or other provisions of the Speedy
5 Trial Act may in the future authorize the exclusion of additional
6 time periods from the period within which trial must commence.

7 IT IS SO STIPULATED.

8 Dated: December 26, 2024

Respectfully submitted,

9 E. MARTIN ESTRADA
10 United States Attorney

11 DAVID T. RYAN
12 Assistant United States Attorney
13 Chief, National Security Division

14 /s/ Lauren Restrepo
15 LAUREN RESTREPO
16 Assistant United States Attorney

17 Attorneys for Plaintiff
18 UNITED STATES OF AMERICA

19 //

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21 //

1 I am AHMED HOSSAM ELDIN ELBADAWY's attorney. I have carefully
2 discussed every part of this stipulation and the continuance of the
3 trial date with my client. I have fully informed my client of his
4 Speedy Trial rights. To my knowledge, my client understands those
5 rights and agrees to waive them. I believe that my client's decision
6 to give up the right to be brought to trial earlier than July 28,
7 2025 is an informed and voluntary one.
8

9 

10 CHRISTOPHER DOWNEY, ESQ.
11 Attorney for Defendant
12 AHMED HOSSAM ELDIN ELBADAWY

01/07/24
Date

13 I have read this stipulation and have carefully discussed it
14 with my attorney. I understand my Speedy Trial rights. I voluntarily
15 agree to the continuance of the trial date and give up my right to be
16 brought to trial earlier than July 28, 2025.

17 
18 AHMED HOSSAM ELDIN ELBADAWY
19 Defendant

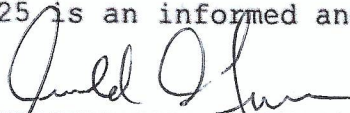
01/07/24
Date

20 //

21 //


22 //

1 I am EVANS ONYEAKA OSIEBO's attorney. I have carefully
2 discussed every part of this stipulation and the continuance of the
3 trial date with my client. I have fully informed my client of his
4 Speedy Trial rights. To my knowledge, my client understands those
5 rights and agrees to waive them. I believe that my client's decision
6 to give up the right to be brought to trial earlier than July 28,
7 2025 is an informed and voluntary one.

8 
9 ARNOLD SPENCER, ESQ.
10 Attorney for Defendant
EVANS ONYEAKA OSIEBO

12/31/2024
Date

11
12 I have read this stipulation and have carefully discussed it
13 with my attorney. I understand my Speedy Trial rights. I voluntarily
14 agree to the continuance of the trial date and give up my right to be
15 brought to trial earlier than July 28, 2025.

16 
17 EVANS ONYEAKA OSIEBO
18 Defendant

12/30/2024
Date